

# CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting  
Thursday, February 4, 2016 at 7:00 p.m.  
245 East Bonita Avenue, Council Chambers

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## **Present**

Vice-Chair John Davis  
Commissioner Margie Green  
Commissioner Tomas Molina  
Commissioner Ted Ross  
Planning Manager Fabiola Wong  
Senior Planner Marco Espinoza  
Associate Planner Jennifer Williams  
Planning Secretary Jan Sutton

## **Absent**

Chairman David Bratt

## **CALL TO ORDER AND FLAG SALUTE**

Vice-Chair Davis called the regular meeting of the Planning Commission to order at 7:00 p.m. and led the flag salute.

## **APPROVAL OF MINUTES**

1. December 17, 2015

**MOTION:** Moved by Green, seconded by Ross to approve the minutes of December 17, 2015. Motion carried 4-0-1 (Bratt absent).

2. January 7, 2016

**MOTION:** Moved by Green, seconded by Ross to approve the minutes of January 7, 2016. Motion carried 4-0-1 (Bratt absent).

## **PUBLIC HEARINGS**

3. **CONSIDERATION OF MUNICIPAL CODE TEXT AMENDMENT 15-10** – A request to Conditionally Permit Microbreweries in the M-1 Zone; Creative Growth Zone, Area 4; Specific Plan No. 6, Areas 1, 3, and 4; Specific Plan No. 9, Area 4; Specific Plan No. 21; and Specific Plan No. 24, Areas 2 and 3.

Staff report presented by *Associate Planner Jennifer Williams* who stated at the City Council retreat in March 2015 Staff was directed to move forward with the code change for brewpub restaurants and address microbreweries at a later date. The Council adopted the brewpub code in August, and in November the City Council formally initiated the code change for microbreweries. In the industrial zones manufacturing and compounding are allowed by right, but beer isn't mentioned specifically, so if someone wanted to submit an application for

brewing beer, it would go through a Classification of Use which is a simple process. However, the current code does not allow for retail sales in that zone. The recent update for brewpub restaurants does permit a limited amount of brewing in commercial zones for service at the restaurant, but not allow other activities that could negatively impact the shopping center. Microbreweries are usually small concerns that would produce less than the allowed number of barrels, but they may or may not have a food component, and in the survey conducted of surrounding cities, most of the food is provided by catering, such as food trucks.

**Associate Planner Williams** went over the results of the survey and the different aspects that could be on-site. Based on an analysis of the surrounding cities, brewing occurs seven days a week, and then the tap and tasting rooms open just a few days a week, typically in the late afternoon, and close around 10:00 p.m. All of them were located in industrial zones, not commercial areas; some of them had food trucks on certain days of the week, and some of the larger ones had other accessory activities or services they scheduled in advance and put on their website. Staff was looking for feedback from the Commission on if the taproom or tasting room would be considered the main attraction of the business even if it has a smaller percentage of the floor area, or is it an accessory entertainment component to the brewing process. The current municipal code does not allow for any stand-alone bars; alcohol service is accessory to another use. We also don't allow on-site sale of alcohol in the industrial zone. Also, is this use appropriate in industrial zones or in commercial zones, and should it be allowed by right or conditionally permitted.

She stated even though in San Dimas the sale of alcohol has always been conditionally permitted other cities have taken a different approach. Staff was also looking to see if the Commission wanted to address the associated uses such as food trucks, game nights, etc., and if so, how. Many cities take the approach that the manufacturing process is allowed by right and the tasting is accessory, and spoke about the code adopted by Anaheim. She stated Staff is looking for input on if this use is more appropriate in an industrial zone, commercial zone, or both. There can be concerns about compatibility in the industrial zones when you have large crowds. In that respect it makes more sense for them to be in a commercial zone, but most want to be in a manufacturing zone because the rent is less expensive.

**Associate Planner Williams** stated manufacturing is not an allowed use in the commercial zones, and the Mayor has expressed concerns about food trucks creating an unfair competition to local restaurants because they don't pay the same taxes or have to comply with the same operational standards. When brewpubs were considered the production level was limited. If the Commission feels they should be allowed in commercial zones, then they may want to set restrictions such as prohibiting food trucks or limiting production volume.

She stated the zones identified in tonight's hearing were based on comments by the City Council in November, but if the Commission felt other zones should be included, such as the other areas in the CG zone, Staff would recommend continuing the item for further study. She stated Specific Plan No. 9 is unique as it is not industrial, but was included at the request of the property owner. The proposed area is the Canyon Trail Plaza, which is mostly an office complex and may not be appropriate, but because of its isolated location from other zones it may be a good place to test this use outside of an industrial area. She stated they have focused on microbreweries even though other cities have microwineries or microdistilleries.

**Associate Planner Williams** stated parking standards also vary greatly by use and zone. In the industrial area parking is 1:500 square feet, in commercial areas it is 1:225 square feet, and parking for restaurants is 1:75 square feet. Using the calculation for industrial could create a problem based on the number of people coming to the facility. Some cities have set the parking requirements for the manufacturing and the tasting portions separately. Also, inclusion of

outside patios or food trucks can take away parking area. Tasting room hours tend to be opposite the industrial user hours and showed how that has worked in other cities. The draft language is in the form that the required parking needs to comply with Code Section 18.56 or the business owner shall be required to demonstrate to the Planning Commission the hours of operation will not conflict with the surrounding businesses. She stated on the dais was an article provided by Commissioner Ross and a letter of support from Maurice Kane that came after the agenda was distributed. Staff is recommending the Planning Commission provide feedback for the City Council to consider, or continue and direct Staff to gather more information.

Vice-Chair Davis opened the meeting for public hearing. There being no comments, the public hearing was closed.

**Vice-Chair Davis** asked to review the zoning map and commented if the only commercial zone they are considering is the Creative Growth zone, then only the Albertson's center would be impacted, and not where Target or Smart and Final are located because they are in a different zone.

**Associate Planner Williams** stated none of the commercial zones would be affected as it is written now. Staff is recommending looking at the rest of the Creative Growth zone, but they could look at commercial zones as a whole or just leave it targeted if directed by the Commission.

**Vice-Chair Davis** felt it was better to be targeted right now, and asked if the only other commercial zone was the CN.

**Associate Planner Williams** stated the CN and the CH zones allow commercial, but would be hesitant about including the CN because it is usually located close to residential uses, and that zone is not prevalent in town.

**Commissioner Molina** clarified the current code states in the commercial zones you could have food and entertainment, but not the brewing.

**Associate Planner Williams** stated with the brewpub amendment there can be a limited amount of brewing in the commercial zones not to exceed 5,000 barrels annually, and that a larger producer might be allowed with a Conditional Use Permit. But in that instance the restaurant is the primary use and the brewing was accessory.

**Commissioner Molina** stated it seemed from the survey results that most microbreweries in other cities were in industrial zones, so if they approve the use in the industrial zone, one could be located behind the Valero Gas Station on Arrow Highway.

**Associate Planner Williams** that area is zoned M1, and if they were approached today by a microbrewery, they could go through the Classification of Use process for the brewing component, but they would not be allowed to have a taproom, tasting or food service. The proposed language requires site plan approval by the DPRB to address any ancillary outdoor activities associated with the microbrewery.

**Commissioner Ross** asked if the surrounding cities limit food trucks, and what if patrons wanted to bring their own food.

**Associate Planner Williams** stated some cities accommodate food trucks while others do not, and that some places will allow patrons to bring their own food.

**Commissioner Green** asked if there was any sales tax benefit to the City from food trucks.

**Associate Planner Williams** stated they would pay for a business license, and sometimes an in-town business will also operate a food truck, but they do not pay the City any sales tax.

**Commissioner Ross** asked if food trucks were regulated by the County Health Department. He also asked if there is a breakdown on revenue from the food component compared to alcohol sales.

**Associate Planner Williams** stated food trucks would have to be licensed by the Health Department in every county they operated in. She stated most microbreweries don't have food, so there would be very little revenue generated; most of the food is provided by the food trucks.

**Vice-Chair Davis** stated he went to a microbrewery in La Verne that had a taproom in the front, but as they were holding a fundraiser they had set up tables in the manufacturing area, and asked if that was normal.

**Associate Planner Williams** stated that is something you have to think about that if it's approved at a certain size or occupancy class but they keep going over that, then it should have permits from Building and Safety and Fire.

**Vice-Chair Davis** felt they would be kidding themselves to think the business will contain itself within 750 square feet because they will expand into the brewing area when they hold special events. If they are held at night, they at least would not be impacting the neighboring businesses.

**Associate Planner Williams** stated the current proposal does not have a floor area size limit, that is from the Anaheim regulations, and that any business would have to go through the Building Department review to be sure they are protecting life safety.

**Vice-Chair Davis** felt it would be important to see the business from the street if it was in an industrial complex, and asked if that was common or if there would be any concerns with them being located in the back.

**Commissioner Molina** stated he went to a wine tasting located in the back of an industrial park and said it was very easy to drive right by it, and when you did find it you had to call them so they could open the gate.

**Associate Planner Williams** stated not all of them have street visibility and the one in Claremont is difficult to find. Staff has concerns over appropriate lighting levels and lack of visibility like you would have in a commercial center. In response to a question about food trucks, she stated not all of them have that. If we were to allow microbreweries in the commercial zones without a food component and restricted food trucks, then patrons would have to go to neighboring businesses for food.

**Commissioner Green** felt rent would be higher for a street-front location in the industrial zone.

**Associate Planner Williams** stated customer traffic is important and thought a business would want to be visible, but rent is important too. Many are located in the middle or back of business parks.

**Vice-Chair Davis** felt microbreweries should be conditionally permitted, and asked if that would allow the Commission to address concerns regarding location and public safety issues as part of the review.

**Associate Planner Williams** went over what findings would need to be met to approve a Conditional Use Permit, and if the Commission felt there were public safety concerns, an application could be denied or given conditions to mitigate the issue.

**Commissioner Molina** clarified that with a Conditional Use Permit if the proposed location was in the back of an industrial park, then they could do something like require additional lighting.

**Associate Planner Williams** stated they may be able to require additional lighting around the tenant space but wasn't sure how it would be addressed for the whole complex. They might also require a security guard.

**Vice-Chair Davis** and **Commissioner Green** preferred to have microbreweries conditionally permitted instead of having to write every contingency into the code.

**Commissioner Molina** asked what the concern was about competition with surrounding restaurants if they are located in a commercial zone.

**Associate Planner Williams** stated the concern is if they bring food trucks to a shopping center, then it will draw business away from the restaurants.

**Vice-Chair Davis** stated another issue in the commercial zones could be if they are having large trucks come to make supply deliveries or to pick-up beer to take to other locations, not all commercial locations have a loading dock area that can accommodate that type of vehicle traffic.

**Associate Planner Williams** stated that would be a concern. Some microbreweries only serve on-site, and that is where size limits can help to address this type of concern. If a microbrewery was producing that much product, they would probably want to be in an M1 zone. She stated if the Commission moved forward tonight, it would not include any commercial zones. If they wanted to continue the item for additional review, they would re-notice the hearing at a later date.

**Vice-Chair Davis** felt CG-1 and CG-2 seemed appropriate to consider, but did not think CG-3 needed to be included as it was mostly residential and built-out. He also did not think it needed to be in the CH or CN zones.

**The Commission** concurred.

**Vice-Chair Davis** asked when they build the Gold Line Station in CG-2, would that allow for a microbrewery to go nearby.

**Associate Planner Williams** stated this would allow for that until the new Downtown Specific Plan is adopted for that area. She stated Staff would not have a problem with allowing food trucks as an accessory use in the industrial zones, but would not recommend allowing them in the commercial zones or downtown.

**Commissioner Green** asked if that would prohibit them from having food trucks at special events in the downtown.

**Associate Planner Williams** stated no, only on a regular basis for a particular business.

**Commissioner Molina** asked would live entertainment be allowed.

**Associate Planner Williams** stated there is a different permit process they would have to go through if they wished to have live entertainment.

**Vice-Chair Davis** asked about microwineries and microdistilleries, and should we be looking at allowing those as well.

**Associate Planner Williams** stated some cities will allow alcoholic beverage manufacturing and not specify what type. Staff has not had any requests for that type of business so research was not done, and she was not aware of any in the area. That may be more of a draw in large urban areas.

**Vice-Chair Davis** felt they should take this opportunity to look into that without having to go through the whole process again. Since it would be conditionally permitted, they could look at the pros and cons of other types of breweries.

**The Commission** concurred to look at broadening the concept of allowing other alcohol manufacturing opportunities. **The Commission** also concurred with the proposed language in regards to parking.

**Associate Planner Williams** stated the last item to discuss was in regards to calls for service, and conditions relating to lighting.

**Planning Manager Fabiola Wong** stated they can have operational standards in the code, but if they are requiring this to be conditionally permitted, then they have a better opportunity to review each location and tailor the conditions to each site to prevent them from being detrimental to surrounding businesses.

**Vice-Chair Davis** asked if there was a definition for what constitutes a microbrewery.

**Associate Planner Williams** stated they give an explanation of what one is but it is not defined in the code. Manufacturing beer is listed as a permitted use in the industrial zone, and the tasting room as conditionally permitted, This will be the first time it has been allowed to have alcohol sales without being accessory to a restaurant, so there is specific language relating to serving only what is manufactured onsite.

#### RESOLUTION PC-1557

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 15-10 TO CONDITIONALLY PERMIT MICROBREWERIES IN THE M-1 ZONE, CREATIVE GROWTH ZONE, AREA 4, SPECIFIC PLAN NO. 6, AREAS 1, 3, AND 4, SPECIFIC PLAN NO. 9, AREA 4, SPECIFIC PLAN NO. 21, AND SPECIFIC PLAN NO. 24, AREAS 2 AND 3

**MOTION:** Moved by Molina, seconded by Green to continue this item to a date uncertain and direct Staff to provide language on adding the CG Zone Areas 1 and 2 to the list of allowed zones, to research expanding the use to include other types of alcoholic beverages, and to limit food trucks to the industrial zones and Specific Plan No. 9 only. Motion carried 4-0-1.

## **ORAL COMMUNICATION**

### **4. Community Development Department**

*Associate Planner Williams* stated at the next meeting there will be a presentation for conditionally permitting the electric vehicle charging stations at San Dimas Plaza.

*Planning Manager Wong* advised the Commission of the schedule for the upcoming Downtown Specific Plan Charrette.

### **5. Members of the Audience**

No communications were made.

### **6. Planning Commission**

*Vice-Chair Davis* liked the focus group meetings scheduled for Monday but did not think he would be available to attend all four days.

*Commissioner Molina* asked if there was more than one business owner in the Economic Group.

*Associate Planner Williams* stated she thought there were others.

## **ADJOURNMENT**

**MOTION:** Moved by Green, seconded by Ross to adjourn. Motion carried, 4-0-1 (Bratt absent). The meeting adjourned at 8:32 p.m. to the regular Planning Commission meeting scheduled for Thursday, February 18, 2016, at 7:00 p.m.

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David A. Bratt, Chairman  
San Dimas Planning Commission

ATTEST:

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Jan Sutton  
Planning Commission Secretary

Approved: April 7, 2016